

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	:
	:
DELPHI CORPORATION, <u>et al.</u>	:
	:
Debtors.	:
	:
-----X	

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

ORDER GRANTING
MOTION OF DONALD R. AND SARAH E. SWEETON TO COMPEL
DEBTOR'S PERFORMANCE UNDER LEASE OF NON-RESIDENTIAL REAL
PROPERTY AND FOR PAYMENT OF ADMINISTRATIVE EXPENSES

This matter having come before the Court upon the Motion of Donald R. Sweeton and Sarah E. Sweeton (the "Sweetons"), to compel performance by Delphi Automotive Systems, LLC ("Delphi Automotive") under a lease of non-residential real property and for payment of administrative expenses (the "Motion"), filed in the bankruptcy cases of the above-captioned debtors and debtors-in-possession (collectively, the "Debtors"), the Court finds that (i) it has jurisdiction over the matters raised in the Motion pursuant to Sections 157 and 1334 of Title 28 of the United States Code, (ii) this matter is a core proceeding pursuant to Section 157(b)(2) of Title 28 of the United States Code, (iii) proper and adequate notice of the Motion and the opportunity for a hearing thereon has been given and no other or further notice is necessary, and (iv) good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and the arguments presented at any hearing had thereupon. Therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

2. Unless otherwise defined herein, each capitalized term shall have the meaning ascribed to it in the Motion.

3. Delphi Automotive is directed to pay to the Sweetons, within two (2) business days of the entry of this Order, the January Rent and the February Rent pursuant to the terms of the Lease.

4. Delphi Automotive shall, within two (2) business days of its receipt of a written request from the Sweetons therefore, reimburse the Sweetons for all of its reasonable and actual attorneys' fees and costs incurred in preparing and prosecuting the Motion.

5. Delphi Automotive shall make all future monthly payments of rent and related charges to the Sweetons in full in advance on or before the first day of each calendar month, as required by the Lease.

6. Delphi Automotive shall pay, promptly following entry of this Order, the administrative expense request filed by the Sweetons in the amount of \$638,845.03.

7. This Court retains jurisdiction to enforce and implement the terms and provisions of this Order and to resolve any and all disputes related thereto.

ENTERED:

UNITED STATES BANKRUPTCY JUDGE

Respectfully submitted,

/s/ Austin L. McMullen

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